

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO**

OHIO V. PHILIP RANDOLPH  
INSTITUTE,

et al.,

Plaintiffs,

vs.

RYAN SMITH, Speaker of the Ohio House  
of Representatives, et al.,

Defendants.

IN RE: SUBPOENAS SERVED ON  
REPUBLICAN NATIONAL COMMITTEE,  
NATIONAL REPUBLICAN  
CONGRESSIONAL COMMITTEE,

AND

ADAM KINCAID

Case No.: 1:18-cv-00357-TSB

Judge Timothy S. Black

Circuit Judge Karen Nelson Moore

Judge Michael H. Watson

Magistrate Judge Karen L. Litkovitz

Transferred from the United States  
District Court for the District of  
Columbia,

Civil Action No. 18-mc-00031

**RESPUBLICAN NATIONAL COMMITTEE'S, NATIONAL REPUBLICAN  
CONGRESSIONAL COMMITTEE'S, AND ADAM KINCAID'S NOTICE OF  
CORRECTED AFFIDAVIT OF ADAM KINCAID**

Today, the Republican National Committee ("RNC"), National Republican Congressional Committee ("NRCC"), and Adam Kincaid ("Respondents") submitted to the Court for in camera review documents Respondents have withheld as privileged. Respondents submitted these documents in response to this Court's December 11th order. *See Supplemental In Camera Order, ECF 116 (S.D. Ohio Dec. 11, 2018) (Page ID 1360-1362).*

In preparing the documents for production, counsel for Respondents discovered that three documents were inadvertently not included on Mr. Kincaid's affidavit. This was due to a miscoding error in the document review software. Those documents are: Rev\_No. 45, 74, and 75. These documents fall under the existing categories listed on Mr. Kincaid's affidavit.

- Doc. No. 45 falls under Kincaid Affidavit paragraph 14(a) "Analysis of Final New Map;"
- Doc. No. 74 falls under Kincaid Affidavit paragraph 14(a) "Analysis of Old Map;"
- Doc No. 75 falls under Kincaid Affidavit paragraph 14(a) "Analysis of Old Map."

Accordingly, only paragraph 14(a) requires correction. Paragraph 14(a) of Mr. Kincaid's affidavit now reads:

- a. Analyses of Draft Ohio Congressional Maps and The Final Ohio Congressional Map
  - Analyses of Old Map: Doc Nos. 9, 74-76
  - Analyses of Final New Map: Doc. Nos. 16, 18-73

These three documents were included in the in camera production to the Court.

Counsel for Respondents sincerely apologizes to both the Court and the Parties for this error. However, as these documents were not produced, are privileged, and are now being submitted for in camera review, Respondents' counsel believes there is no prejudice to the Parties. Attached to this notice is Mr. Kincaid's corrected affidavit.

Respectfully submitted,

/s/ Pramila A. Kamath

Pramila A. Kamath (0085114)

Bricker & Eckler LLP

201 E. Fifth Street, Suite 1110

Cincinnati, Ohio 45202

Telephone: 513-870-6700

Facsimile: 513-870-6699

[pkamath@bricker.com](mailto:pkamath@bricker.com)

*and*

/s/ Shawn T. Sheehy

Shawn Sheehy *pro hac motion pending*

Phillip M. Gordon *pro hac motion pending*

HOLTZMAN VOGEL JOSEFIAK TORCHINSKY PLLC

45 North Hill Drive, Suite 100

Warrenton, VA 20186

Phone: (540) 341-8808

Fax: (540) 341-8809

[ssheehy@hvjt.law](mailto:ssheehy@hvjt.law)

[pgordon@hvjt.law](mailto:pgordon@hvjt.law)

*Counsel for Non-Party Respondents  
Republican National Committee,  
National Republican Congressional Committee,  
and Adam Kincaid*

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing has been filed through the CM/ECF system which instantaneously sent a Notice of Electronic Filing (NEF) to all counsel required to be served.

/s/ Pramila A. Kamath  
Pramila A. Kamath (0085114)